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January 6, 1999
VIA FACSIMILE

Darlene Lyon
 United States Patent and Trademark Office
 Assistant Commissioner for Patents
 Washington, DC 20231-9998

Re: Request for Correction of Filing Date
 For: IMPROVED SIGNAL PROCESSING APPARATUS AND METHOD
 Application No.: 08/834,194
 Our Ref. No.: MASIMO.056A

Dear Ms. Lyon:

Attached, please find a request for correction of the filing date for Application No. 08/834,194. A similar request was mailed with a return postcard on October 21, 1997. We received the return postcard from the Patent and Trademark Office, postmarked October 23, 1997. Please contact me at 949-721-6305 if you need copies of the previous request and the return postcard for your records.

Thank you for your help in this matter.

Sincerely,

Lee W. Henderson, Ph.D.
 Registration No. 41,830
 Attorney of Record

Enclosure

ENDOC51WH1WH-3148.DOC: clk
 010699

MASIMO.056A

PATENT

#10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

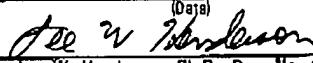
Applicant	:	Mohamed K. Diab et al.)	Group Art Unit 3136
Appl. No.	:	08/834,194)	
Filed	:	April 14, 1997)	
For	:	IMPROVED SIGNAL PROCESSING APPARATUS AND METHOD)	
Examiner	:	E. Winakur)	

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

January 6, 1999

(Date)


Lee W. Henderson

Lee W. Henderson, Ph.D., Reg. No. 41,830

REQUEST FOR CORRECTION OF FILING DATE

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicant respectfully requests that the filing date for the above-identified patent application be corrected from April 15, 1997 to April 14, 1997, as shown in RED on the enclosed copy of the Official Filing Receipt. The application was submitted by Certificate of Express Mail on April 14, 1997, as evidenced by the date on the enclosed copies of the Certificate of Express Mail, Transmittal Letter, check and return postcard. Please note that the Patent and Trademark Office mailroom stamped the return postcard with the incorrect date of April 15, 1997. Please also note that the date in the upper right-hand corner of the Transmittal Letter is automatically inserted by the WordPerfect word processing program used by Applicant's counsel, and is based upon the computer clock.

Appl. No. : 08/834,194
Filed : April 14, 1997

A copy of the Express Mail receipt from the post office is also enclosed. Applicant notes that the Express Mail receipt shows "4/14" as the month and day of receipt.

In view of the enclosed documentary evidence, as discussed above, Applicant respectfully requests correction of the filing date.

If there are any further questions, please call the undersigned attorney of record at 949-721-6305 or at the telephone number listed below.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: January 6, 1999

By: Lee W. Henderson

Lee W. Henderson, Ph.D.
Registration No. 41,830
Attorney of Record
620 Newport Center Drive
Sixteenth Floor
Newport Beach, CA 92660
(949) 760-0404

LWH-2363:clk
010699

MNSIMO. US
SCJ/LNH
FILING RECEIPT

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
08/834,194	04/14/97	2414	\$1,230.00	MAS1M0056A	19	19	6

KNOBBE MARTENS OLSON & BEAR
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NEWPORT BEACH CA 92660

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)
MOHAMED K. DIAB, MISSION VIEJO, CA; REX McCARTHY,
MISSION VIEJO, CA.

FOREIGN FILING LICENSE GRANTED 09/02/97
TITLE
IMPROVED SIGNAL PROCESSING APPARATUS AND METHOD

PRELIMINARY CLASS: 364

DOCKETED ON:	SEP 14 1997
BY:	SCJ/LNH
ACTION:	VERIFIED BY
SUE DATE:	
FINAL DEADLINE:	
ATTY:	
ATTORNEY VERIFICATION OF DATE AND FINAL DEADLINE:	

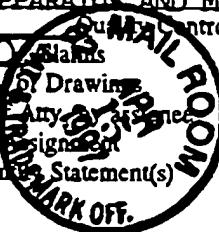
COPY

UTILITY/DESIGN PATENT

Date: 4/14/97

(application)

Rec'd in the U.S.P.T.O. on the date stamped hereon via:

Express Mail #: FM473793474US Atty: JTS/LWHAtty. Dkt. #: MASIMO.056A Applicant: Mohamed K. Diab, et al.Title: IMPROVED SIGNAL PROCESSING APPARATUS AND METHODVERIFIED BY: Asst: L. Bozdanovich Docket Control: Patent Appln. in 45 pgs. incl. Spec and 30 claims Transmittal in Duplicate 19 pgs. of Drawings Preliminary Amendment in pgs. Power of Atty. pgs. copy of Assignment Decl. and Power of Atty. Small Entity Statement(s) Decl. by Inventor(s) MARK OFF. Filed Signed/Unsigned MARK OFF. Assignment in 2 pgs. MARK OFF. Information Disclosure Statement: PTO-1449 w/ Ref#1471 U.S. PTO Check for \$1,230.00 Filing Fee 08/834194 Check for \$40.00 for Assignment Return Postcard 04/15/97 7/96

DOCKETED ON: JUN 05 1997BY: S VERIFIED BY: SACTION: FOREIGN FILING DUEDUE DATE: APRIL 14 1998FINAL DUE DATE: APRIL 14, 1998ATTY: JTS/LWHATTORNEY VERIFICATION OF DUE DATE
AND FINAL DEADLINE

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JIWEI MUANG

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Attorney Docket No. : MASIMO.056A
 Applicant(s) : Mohamed K. Diab and Rex J. McCarthy
 For : IMPROVED SIGNAL PROCESSING
APPARATUS AND METHOD
 Attorney : Jerry T. Sewell
 "Express Mail"
 Mailing Label No. : EM473793474US
 Date of Deposit : April 14, 1997

I hereby certify that the accompanying

Transmittal in Duplicate; Specification in 43 pages; 19 sheets of drawings;
 SIGNED Declaration by Inventors in 2 pages; Recordation Form Cover Sheet
 and Assignment in 2 pages; Checks for Filing Fees; Return Prepaid Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to
 Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the
 Assistant Commissioner for Patents, Washington, D.C. 20231.

Jerry T. Sewell
Jerry T. Sewell

LWH-1264:cb
970414/1

COPY**PATENT**Case Docket No. **MASIMO.056A**
Date: April 14, 1997
Page 1**ASSISTANT COMMISSIONER FOR PATENTS**
WASHINGTON, D.C. 20231**ATTENTION: APPLICATION BRANCH****Sir:**

Transmitted herewith for filing is the patent application of

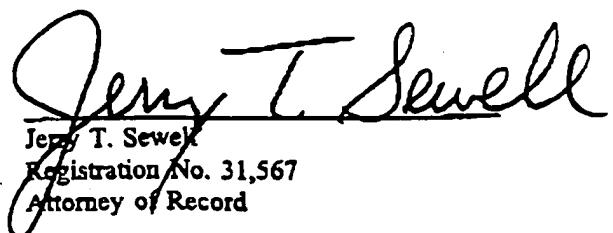
Inventor(s): Mohamed K. Diab and Rex J. McCarthy**For: IMPROVED SIGNAL PROCESSING APPARATUS AND METHOD****Enclosed are:**

(X) Nineteen (19) sheets of drawings.
(X) Recordation form cover sheet with two-page assignment.
(X) Declaration by inventors.
(X) Return prepaid postcard.

CLAIMS AS FILED

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee			\$770	\$770
Total Claims	30 - 20 =	10 x	\$22	\$220
Independent Claims	6 - 3 =	3 x	\$80	\$240
If application contains any multiple dependent claims(s), then add			\$260	N/A
TOTAL FILING FEE				\$1,230

(X) A check in the amount of \$1,230.00 to cover the filing fee is enclosed.
(X) A check in the amount of \$40.00 to cover the assignment recording fee.
(X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 11-1410. A duplicate copy of this sheet is enclosed.



Jerry T. Sewell
Registration No. 31,567
Attorney of Record

KNOBBE MARTENS OLSON & BEAR
PATENT ACCOUNT
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NEWPORT BEACH, CA 92660

COPY

18492

11-24
1210(8)

DATE

4-14-97

PAY
TO THE
ORDER OF

COMMISSIONER OF PATENTS

\$1,230.00

One thousand two hundred and thirty ⁰⁰ ₁₀₀ DOLLARS 

WELLS FARGO BANK

FOR Masimo 056A Pat. App.*Lisa Bogdanovich*

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PATENT ACCOUNT
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NEWPORT BEACH, CA 92660

18493

11-24
1210(8)PAY
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\$40.00

Forty dollars and ⁰⁰ ₁₀₀ DOLLARS 

WELLS FARGO BANK

FOR Masimo 056A Pat. Assignment*Lisa Bogdanovich*

UTILITY/DESIGN PATENT

Date: 4/14/97

(application)

Rec'd in the U.S.P.T.O. on the date stamped hereon via:

Express Mail #: EM473793474US Atty: JTS/LWHAtty. Dkt. #: MASIMO.056A Applicant: Mohamed K. Diab et al.Title: IMPROVED SIGNAL PROCESSING APPARATUS AND METHODVERIFIED BY: Asst: L. Bogdanovich Quality Control: JF Patent Appln. in 43 pgs. incl. Spec and 30 Claims Transmittal in Duplicate 19 pgs. of Drawings Preliminary Amendment in pgs. Power of Atty. by assignee: Decl. and Power of Atty. copy of Assignment Decl. by Inventor(s) Filed Signed/Unsigned Assignment in 2 pgs. Information Disclosure Statement: PTO-1449 w/ Ref(s) Check for \$1,230.00 Filing Fee Check for \$40.00 for Assignment Return Postcard

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